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12 **UNITED STATES DISTRICT COURT**  
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14 **DISTRICT OF NEVADA**

15 SECURITIES AND EXCHANGE COMMISSION,  
16 Plaintiff,  
17 v.  
18 MICHAEL V. SHUSTEK and VESTIN  
MORTGAGE LLC,  
19 Defendants.  
20

Case No.: 2:21-cv-01416-JCM-BNW

**FINAL JUDGMENT AS TO  
DEFENDANT VESTIN MORTGAGE LLC**

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24 The Securities and Exchange Commission having filed a Complaint and Defendant Vestin  
25 Mortgage LLC ("Defendant") having entered a general appearance; consented to the Court's  
26 jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final  
27 Judgment without admitting or denying the allegations of the Complaint (except as to jurisdiction);  
28

1 waived findings of fact and conclusions of law; and waived any right to appeal from this Final  
 2 Judgment:

3 I.

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is permanently  
 5 restrained and enjoined from violating Sections 17(a)(2) and (3) of the Securities Act of 1933 (the  
 6 “Securities Act”) [15 U.S.C. §§ 77q(a)(2) and (3)] in the offer or sale of any security by the use of  
 7 any means or instruments of transportation or communication in interstate commerce or by use of the  
 8 mails, directly or indirectly:

9 (a) to obtain money or property by means of any untrue statement of a material fact or any  
 10 omission of a material fact necessary in order to make the statements made, in light of the  
 11 circumstances under which they were made, not misleading; or

12 (b) to engage in any transaction, practice, or course of business which operates or  
 13 would operate as a fraud or deceit upon the purchaser.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal  
 15 Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive  
 16 actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers,  
 17 agents, servants, employees, and attorneys; and (b) other persons in active concert or participation  
 18 with Defendant or with anyone described in (a).

19 II.

20 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is  
 21 permanently restrained and enjoined from violating Section 206(2) of the Investment Advisers Act of  
 22 1940 (the “Advisers Act”) [15 U.S.C. § 80b-6(2)] by the use of the mails or any means or  
 23 instrumentality of interstate commerce, directly or indirectly, to engage in any transaction, practice,  
 24 or course of business which operates as a fraud or deceit upon any client or prospective client.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal  
 26 Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive  
 27 actual notice of this Final Judgment by personal service or otherwise: (a) Defendant’s officers,  
 28 agents, servants, employees, and attorneys; and (b) other persons in active concert or participation

1 with Defendant or with anyone described in (a).

2 III.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is  
4 incorporated herein with the same force and effect as if fully set forth herein, and that Defendant shall  
5 comply with all of the undertakings and agreements set forth therein.

6 IV.

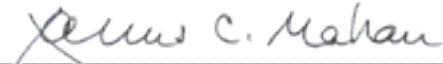
7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain  
8 jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

9 V.

10 There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil  
11 Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

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13 IT IS SO ORDERED.

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15 Dated: November 15, 2023

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20 James C. Mahan  
21 UNITED STATES DISTRICT JUDGE  
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